

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
v.)
)
ABHIJIT DAS, a.k.a. "Beej" Das) Case No. 23-CR-10160-AK
)
)
Defendant.)

JOINT INTERIM STATUS REPORT

The parties, through counsel respectfully submit this Interim Status Report pursuant to Local Rule 116.5 for the Status Conference scheduled for June 10, 2024, at 10:00 a.m. Based on the following, the parties respectfully request that the Court designate this an Interim Status Conference, cancel the hearing and schedule a Final Status Conference in 30 days.

Background

1. The indictment was returned on June 20, 2023, and charges defendant Abhijit Das with ten counts of wire fraud, in violation of 18 U.S.C. § 1343. The indictment arises out of the defendant's work as an attorney and alleged conduct that took place during his representation of a client and the management of escrow funds.

2. The defendant made his initial appearance on the indictment in the District of Massachusetts and was arraigned on July 11, 2021. The defendant is not in custody and has been released on pre-trial conditions.

3. The defendant was convicted of campaign finance related crimes on October 13, 2023 following a trial before U.S. District Court Judge Richard G. Stearns, in *U.S. v. Das*, 20-CR-10200-RGS.

4. The defendant filed a motion seeking that a Pre-Plea Presentence Report be produced by the Probation office to assist the defendant with a global resolution of these matters with the Government. In denying the request, the Court indicated that the defendant should address Probation with his inquiries. The defendant would benefit from additional time to do just that and then to further discuss the possible coordination of the resolution of these matters. Additional time will also permit the Government to complete discovery and will give the defendant time to complete his review of the discovery. The sentencing in the matter of *U.S. v. Das*, 20-CR-10200-RGS was recently continued to June 25, 2024.

Status of Discovery

5. The Government made an initial production of discovery including the required automatic discovery disclosures on July 11, 2023. The initial production of discovery included more than 7,500 pages of documents and other records and included, among other items, third party business and bank records, investigative reports, search warrant applications, and the more relevant email and text communications of the defendant.

6. Presently, there is an outstanding discovery request as the defendant just provided a discovery letter seeking certain materials.

Timing of Additional Discovery

7. The Government is in possession of additional materials that may be produced in discovery based on the Government's ongoing investigation. Among other items, the Government has obtained a search warrant for three email accounts. The search of these accounts had been delayed by agreement. The defendant seeks materials resulting from the search of those items.

Protective Orders

8. The defendant submits that a protective order is not currently necessary.

Timing of Pre-Trial Motions

9. The defendant is waiting on certain discovery and is still in the process of reviewing discovery and has not decided if any pre-trial motions will be filed.

Expert Witness Disclosures

10. The parties submit that the court should set a deadline for the disclosure of expert witness under Rule 16 as follows: 28 days before trial for the Government and 14 days before trial for the defendant.

Excludable Delay under the Speedy Trial Act

11. The parties submit that the period of time from June 10, 2024 to the Final Status Conference requested herein should be excluded under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, in the interests of justice.

Request for Further Status Conference

12. The parties submit that the court should set a Final Status Conference in July 2024, or in approximately 30 days.

13. Counsel for the Government, Assistant U.S. Attorney Neil J. Gallagher, Jr., joins in this status report.

By defendant's attorney,

s/ Glenn A. MacKinlay
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Date: June 7, 2024

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

s/ Glenn A. MacKinlay

Glenn A. MacKinlay